

CHAPTER 12

SECTION 1

MARKETING ACTIVITIES REQUIREMENTS

The contractor shall establish and implement a marketing plan to inform beneficiaries about TRICARE Prime and TRICARE Extra benefits and services which includes the requirements of the Lead Agent and MTF Commanders. The plan shall be submitted through the Lead Agent to the Contracting Officer for approval. The contractor shall submit the plan to the Lead Agent by the 90th calendar day prior to the start of health care delivery and each option period thereafter. The Contracting Officer will provide the contractor with written approval within 30 calendar days of receipt of the plan. It shall identify the overall marketing strategy and an analysis of opportunities and issues in implementing this plan. The plan shall provide an analysis of the current marketing situation, marketing strategy, action steps, and controls the contractor shall use to monitor the marketing plan and its objectives. The following requirements shall apply to all marketing activities.

1.0. MARKETING PROGRAM REQUIREMENTS

The contractor shall promote enrollment and use of network providers by nonenrolled beneficiaries through marketing and beneficiary education. The contractor shall conform to the following in developing a marketing program:

1.1. All marketing and advertising materials shall be accurate and must not be misleading. The Lead Agents will examine, within 30 calendar days of receipt, the materials to assure their marketing messages provide full and fair disclosure of the provisions of the program in readily understood language and in a clearly organized manner. The contractor shall disclose benefits, exclusions, the nature and extent of freedom to choose providers (including the Point of Service (POS) option, terms of enrollment, responsibility and options for the payment of the enrollment fee for TRICARE Prime, penalty for non-payment of quarterly enrollment fees, and cost-sharing arrangements.

1.2. Marketing materials shall not use emblems or symbols of the U.S. Government or the Department of Defense with the exception of the TRICARE logo. All marketing materials shall identify that they were produced by the contractor or a subcontractor or other entity associated with the contractor. The contractor shall use the TRICARE logo on all marketing materials. The logo may be regionalized at the direction of the Lead Agent as described in [Chapter 12, Addendum A](#). For the purpose of this provision, marketing materials include brochures, newsletters, Explanations of Benefits, letterhead paper, banners, etc.

1.3. Marketing materials shall not create the impression that providers or any other entities affiliated with the contractor are governmental facilities, entities or employees or that the contractor's programs are operated by the U.S. Government.

1.4. Marketing activities shall not be designed to discriminate, or have the effect of discriminating, against any beneficiaries on the basis of health status, age, race, sex, family size, sponsor status, or sponsor rank.

1.5. Marketing materials shall be designed to minimize attracting beneficiaries having other health insurance. The contractor shall identify specific steps to minimize the potential of inducing non-MHS-reliant beneficiaries to use MHS resources.

1.6. The Government reserves the right to announce the existence of TRICARE Prime and TRICARE Extra to beneficiaries in a manner deemed appropriate by the Government.

2.0. APPROVAL OF MARKETING MATERIALS

All marketing materials, including written materials, briefings, and other methods of publicizing the program, as well as the identification of the media to be used, shall be submitted through the Lead Agent to the Contracting Officer for approval at least 90 calendar days prior to initiation of health care delivery and 90 calendar days prior to each subsequent health care delivery period; or at any time there are any revisions to or replacement of materials. No marketing materials may be released under any circumstances without prior Contracting Officer approval. The approval of the marketing materials will be valid for a one year period.

3.0. ROLES OF THE LEAD AGENTS AND THE MTF COMMANDERS IN DEVELOPING MARKETING MATERIALS

Prior to developing marketing materials, the contractor shall meet with the appropriate Lead Agents and MTF Commanders in all areas where TRICARE Prime will be established to coordinate enrollment activities. Materials unique to each area shall then reflect the appropriate Lead Agent's and MTF Commander's input. The contractor shall brief the MTF Commanders on marketing activities in the Commanders' catchment areas. These briefings may take place during regular meetings (see [Chapter 16, Section 1, paragraph 4.0](#)).